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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the PATENT application of:

Ernie L. Deacon, et al.

Appeal No. 2003-1272

Serial No. 10/039,338

Filed: October 29, 2001

Title: Golf Shoe Cleat

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TERMINAL DISCLAIMER

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Sir:

Softspikes, Inc., the owner of the entire right, title and interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the earliest expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of its prior U.S. Patent Nos. 5,529,129 and 6,354,021. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patents,

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney of record.

A check in the amount \$130.00 is attached to cover the fee for the Terminal Disclaimer. The Commissioner is hereby authorized to charge any additional fees required for the Terminal Disclaimer or instant application to Deposit Account No. 05-0460.

08/29/05
Date


Ira C. Edell, Attorney For Applicant
Registration No. 24,119